02105.002355

## PATENT APPLICATION

| In re Application of:  | )           | Examiner: Not Yet Assigned |
|--|-------------|----------------------------|
| GLENN ROY ET AL.   | )           | Group Art Unit: 1761       |
| Application No.: 10/629,759  | )           |                            |
| Filed: July 30, 2003   | )           |                            |
| For: PREVENTION OF SYNTHETIC COLOR FADING IN BEVERAGES USING BOTANICALLY DERIVED | ;<br>;<br>) |                            |
| COLOR STABILIZERS  | :           | August 11, 2004            |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

## **INFORMATION DISCLOSURE STATEMENT**

August 11, 2004

Sir:

In compliance with the duty of disclosure under 37 C.F.R. § 1.56 and in accordance with the practice under 37 C.F.R. §§ 1.97 and 1.98, the Examiner's attention is directed to the documents listed on the enclosed Form PTO-1449. Copies of the listed documents are also enclosed.

The concise explanation of relevance for the non-English documents WO 97/36503 and JP 6-93199 are provided in the form of English language abstracts. In addition, U.S. Patent No. 6,379,729 corresponds to WO 97/36503.

## **CONCLUSION**

It is respectfully requested that the above information be considered by the Examiner and that a copy of the enclosed Form PTO-1449 be returned indicating that such information has been considered.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

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| FORM PTO 1449 (modified)  OPATENT AND TRADEMARK OFFICE  LIST OF REFERENCES CITED BY APPLICANT(S) (Use several streets if necessary)  AUG 1 2 2004  |  | ATTY DOCKET NO. 02105.002355 | APPLICA*              | APPLICATION NO.<br>10/629,759 |          |                                       |  |  |  |
|--|--|------------------------------|-----------------------|-------------------------------|----------|---------------------------------------|--|--|--|
|  |  | APPLICANT  GLENN ROY ET AL.  |                       |                               |          |                                       |  |  |  |
|  |  | FILING DATE  July 30, 2003   |                       | GROUP 1761                    |          |                                       |  |  |  |
| 127  | eto  |                              | U.S. PATENT DOCUMENTS |                               |          |                                       |  |  |  |
| *EXAMINER<br>INITIAL   | DOCUMENT<br>NUMBER                                     | DATE                         | NAME                  |                               | SUBCLASS | FILING DATE IF APPROPRIATE            |  |  |  |
|  | 5,314,686  | 5/24/94                      | Todd, Jr.             |                               | 401      |                                       |  |  |  |
|  | 5,336,510  | 8/9/94                       | Chang                 |                               | 72       |                                       |  |  |  |
|  | 5,443,852  | 8/22/95                      | Shahidi et al.        |                               | 92       |                                       |  |  |  |
|  | 6,022,576  | 2/8/00                       | Cirigliano et al.     |                               | 597      |                                       |  |  |  |
|  | 6,036,986  | 3/14/00                      | Cirigliano et al.     |                               | 330.3    |                                       |  |  |  |
|  | 6,120,823  | 9/19/00                      | Cirigliano et al.     |                               | 321      |                                       |  |  |  |
|  | 6,379,729  | 4/30/02                      | Onishi et al.         | 426                           | 250      |                                       |  |  |  |
|  | 6,630,186  | 10/7/03                      | Takaichi et al.       | 426                           | 250      |                                       |  |  |  |
|  | 6,287,611  | 9/11/01                      | Morello et al.        | 426                           | 72       |                                       |  |  |  |
|  | 2003/0147972   | 8/7/03                       | Christopher et al.    |                               | 725      |                                       |  |  |  |
|  | 2002/0086093   | 7/4/02                       | Morello et al.        | 426                           | 72       |                                       |  |  |  |
| FOREIGN PATENT DOCUMENTS   |  |                              |                       |                               |          |                                       |  |  |  |
|  | DOCUMENT<br>NUMBER                                     | DATE                         | COUNTRY               | CLASS                         | SUBCLASS | TRANSLATION<br>YES/NO/<br>OR ABSTRACT |  |  |  |
|  | 6-93199  | 4/5/94                       | Japan                 |                               |          | abstract                              |  |  |  |
|  | WO 97/36503  | 10/9/97                      | PCT                   |                               |          | abstract                              |  |  |  |
| OTHER DOCUMENT(S) (Including Author, Title, Date, Pertinent Pages, Etc.)   |  |                              |                       |                               |          |                                       |  |  |  |
| B. Buszewski, et al., "Simultaneous Isolation of Rutin and Esculin from Plant Material and Drugs Using Solid-Phase Extraction", J. Pharm. Biomed. Anal., vol. 11, no. 3, pp. 211-215 (1993). |  |                              |                       |                               |          |                                       |  |  |  |
| J. G. Sweeny, et al., "Effect of Flavonoid Sulfonates on the Photobleaching of Anthocyanins in Acid Solution", J. Agric. Food Chem., vol. 29, pp. 563-567 (1981).                            |  |                              |                       |                               |          |                                       |  |  |  |
|  | M. Reisch, "Sunscreens", C & EN, p. 38, June 24, 2002. |                              |                       |                               |          |                                       |  |  |  |
|  |  |                              |                       |                               |          |                                       |  |  |  |
| EXAMINER   |  |                              | DATE CONSIDERED       |                               |          |                                       |  |  |  |

Sheet\_1\_ of \_1\_

<sup>\*</sup>EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.